

Remarks

This preliminary amendment provides modified claims following a decision of the Board of Appeals. A request for continuing examination is being made together with this preliminary amendment to reopen prosecution.

The independent claims have been amended to specifically recite that sampling is performed on a portion of the generated real time events. Support for this amendment is found at least at page 9, line 21 through page 10, line 10 of the specification, which describes sampling of real time events. Further, at Page 15, line 10 of the specification, a goal of event-correlation is to send the least number of events to the manager console as possible after having abstracted the network condition from a give set of network messages. Context for sampling a portion of the events rather than all the events is also found at least in the background section of the specification, where there is a discussion of an explosion of events: "During an event storm, there is an explosion of events and network operations must contend with this massive set of events." Page 3, lines 15-16. In this context, the amended claim language is believed fully supported. Sampling a portion of the generated real time events is believed to distinguish the references consistent with the Board of Appeals determination that the term "sampling" by itself may include all of the events. Since the claims now recite that only a portion of the events are sampled, reconsideration and allowance of the claims is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully Submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6972

Date 8-20-2008 By 
Bradley A. Forrest
Reg. No. 30,837

CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20 day of August 2008.

Name John D. Gustav-Wrathall
Paralegal
Schwegman, Lundberg & Woessner

Signature 